

## **REMARKS**

### **Summary of Office Action**

Claims 1, 2, 5 and 7-22 were pending in this case. Claims 1, 2, 5 and 7-22 were rejected under 35 U.S.C. §103(a) as being obvious from Youman et al. U.S. Patent No. 5,629,733 ("Youman") in view of Glaab U.S. Patent No. 6,381,332 ("Glaab") and in further view of Chaney U.S. Patent No. 5,841,433 ("Chaney").

### **Summary of Applicants' Reply**

Applicants have amended claims 1 and 13 to more particularly define features of the claimed invention. Applicants have canceled claim 22 without prejudice. No new matter has been added and these amendments and new claims are fully supported by the originally-filed application. The Examiner's rejections are respectfully traversed.

### **Reply to the Prior Art Rejections**

Claims 1, 2, 5 and 7-22 have been rejected under 35 U.S.C. §103(a) as being obvious from Youman in view of Glaab and in further view of Chaney.

The Examiner acknowledged that Youman and Chaney fail to teach a detector coupled to a processor for monitoring a television channel and cites Glaab as allegedly making up for this deficiency (Office Action, pg. 4).

Applicants respectfully submit that Youman, Glaab, and Chaney, whether taken alone or in combination, fail to show or suggest generating an indication when a regularly scrambled television channel is received without scrambling. Instead, in Glaab's system, a detection module continually monitors a television signal and only takes action when an unscrambled channel becomes scrambled, and not the other way around. In particular, in Glaab, if the channel is received without scrambling, the processor takes no further action and no signals are output (Glaab, col. 3, lines 63-67). Thus, Glaab fails to show or suggest generating an indication when

a channel is received without scrambling, as required by applicants' claims 1 and 13. Therefore, Glaab fails to make up for the deficiencies of Youman and Chaney relative to the rejection.

Thus, none of Youman, Glaab or Chaney, whether taken alone or in combination, show or suggest all the limitation of applicant's independent claims 1 and 13. Accordingly, for at least these reasons applicants' claims 1 and 13 and claims 2, 5, 7-12 and 14-22 which depend, directly or indirectly, from claims 1 and 13 are patentable over the cited references of record.

Moreover, applicants' independent claims 1 and 13 require that the detector and processor be at the receiving location where the television channels are received, and thus modifying the displayed program listing occurs at the receiving location. Applicants respectfully submit that Youman, Glaab, and Chaney, whether taken alone or in combination, fail to show or suggest modifying displayed program listings at the receiving location. The Examiner acknowledges that Chaney's EPG is modified at the service provider rather than at the client (receiving location), and asserts that it would have been obvious to one of ordinary skill in the art that Chaney's method of modifying a program guide could be performed at the client instead of the service provider. Applicants respectfully disagree.

It would not have been obvious to one of ordinary skill in the art to modify Chaney to update program listings at the receiving location because Chaney explicitly teaches against it. Chaney teaches that program listings are not programmed into the receiving location, but are rather continuously downloaded from a satellite service provider (Chaney, col. 3, lines 27-30). Chaney teaches that the receiver is completely ignorant of the program listings and it is only the service provider that monitors and alters the program listings (Chaney, col. 3, lines 39-42). Chaney emphasizes modifying the program listings at the service provider rather than at the receiving location is advantageous in that the system is totally flexible where the master program guide can be modified in a fashion that is completely transparent to a user (Chaney, col. 3, lines 43-48). Thus, in light of Chaney's teachings it would not have been obvious to one of ordinary skill to modify the program listings at the receiving location. Accordingly, for at least these

additional reasons, applicants' claim 1 and claims 2, 5, and 7-12 which depend, directly or indirectly, from claim 1 are patentable over the cited references of record.

### Conclusion

For at least the reasons stated above, applicant respectfully submits that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Applicants believe no fee is due with this response other than as reflected on the enclosed Transmittal form. However, if a fee is due, please charge our Deposit Account No. 06-1075, from which the undersigned is authorized to draw.

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Respectfully submitted,

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